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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,832	12/05/2006	Yoad Gidron	31305 (Mobilitec 5)	5200
46363	7590	09/17/2010		
WALL & TONG, LLP/ ALCATEL-LUCENT USA INC. 25 James Way Eatontown, NJ 07724			EXAMINER CHOO, MUNSOON	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 09/17/2010	DELIVERY MODE PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/573832
Filing Date: Dec 05, 2006
Appellant(s): Gidron ET AL.

Yoad Gidron
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 08/16/2010 appealing from the Office action mailed 07/15/2010.

(1) Real Party in Interest

The real party in interest in the present appeal is LUCENT TECHNOLOGIES INC., assignee of the present application.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Non-Final

The appellant's statement of the status of amendments after non-final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 20020052916

Kloba, et al.

5-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

The same reference, Kloba, has been used in the action below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim **36-54 and 56-68** rejected under 35 U.S.C. 102(e) as anticipated by **Kloba (US 2002/0052916)**.

Re claim 36 and 45, Kloba discloses: **Apparatus (Fig 1A: server 104)** providing a platform for the provision of services over a cellular telephone network (**P [112]: offers channels (services) to clients; P [50], Table 2: cellular phones, the cellular network services)**), the **apparatus** comprising

Kloba discloses: an infrastructure for supporting a generic definition of a cellular service (**P [101]: The server maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common/general/generic services/channels. Note: “Said collection of channels” is a collection of general/generic channels; see P [50] for cellular service)**), said generic definition

incorporating common features of different services (P [101]: Said “Collection of channels” incorporating many common channels. Channels can be common services such as application, services, images, movies, music),

Kloba discloses: said generic definition being able to take specific service-defining parameters (Fig 13: When user enters text to search for movies, said server can receive said text and using the movie channel from the collection of channels to provide “find movie service”;
Note: “Collection of channels” can take the “user text in find movie” (define movie channel) so that it can provide movies to the user instead of providing images; Note: Server has a “collection of channels”, see P [101], the server is able to take specific parameters such as images, services, movies),

Kloba discloses: wherein the infrastructure facilitates the delivery of multiple content types to different devices (P [101]: objects (images, movies) to the client) using different protocols (fig. 1v: sync/wireless protocol; P [334]: WAP protocol; fig 18: IP protocol; P [50]: cellular protocol); and

Kloba discloses: a an external parameter setting mechanism for inputting (Fig 13: enter text to search. The text is parameter, and it defines the service as find movies) respective service defining parameters to said generic definition (Fig 13, P [101]: Base on the user text inputted into the “collection of channels” (in server), it can determine that it will provide movies to the user instead of providing images, thus movie channels are selected from the “collection

of channels”), thereby to implement a desired service through said generic definition (Fig 13, P [101]: the desired service of providing movies (channel/service) to the user is implemented, and the movie channel is pulled from (through) the “collection of channels”),

Kloba discloses: said generic definition (services are provided from the channel, and the channel is one of the “collection of channels”, see P [101]; thus teaches service/channel/”collection of channels” includes consideration of...) includes consideration of resource constraints of the different devices (fig. 4A: device type support of 1-10, device type support of 1, 4 and 7, device support detect; P [284]: the process includes only kinds of content supported by various devices/clients).

Re claim 51, Kloba discloses: A method for managing (P [313]: a user or administrator can add (manage) a website to the user’s list of channels; fig 1C; fig 5k: user may create, modify or remove channels; P [111]: managing channels) a content delivery interface (fig 1A: server communication module and client communications module; fig 1c; ref 160B) between a content provider (fig 1A: content provider) and a subscriber wireless communication device (fig 1A: client device), the method comprising:

Kloba discloses: providing a plurality of modules for the content delivery interface (P [101], [121]: server has the “collection of channels” for the content delivery interface, wherein channels are services/functions/modules. Note: module is a unit that is combinable with

other units, see “module. PDF”, and channel is a unit that is combinable with other units, and said combination can become “collection of channels”),

Kloba discloses: each module for providing content as part of a different service (**P [101]: channel has one service of providing images, and another service of providing movies, thus Kloba has one channel module for providing images, and another channel module for providing movies**) wherein delivery of multiple content types to different devices (**P [101]: objects (images, movies) to the client**) using different protocols is facilitated (**fig. 1v: sync/wireless protocol; P [334]: WAP protocol; fig 18: IP protocol; P [50]: cellular protocol**);

Kloba discloses: providing a generic definition of said service (**P [101]: The server maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common services/channels. Note: Said “collection of channel” is a collection of general/generic channels**), said generic definition incorporating common features of different services (**P [101]: Said “Collection of channels” incorporating many common channels. Channels can be common services such as application, services, images, movies, music**);

Kloba discloses: selecting an appropriate one of said modules for the content delivery interface according to a currently desired service (**Fig 13: current desired service is movies, then the “movies” channel/module is selected accordingly for delivery (see e.g. in the “find movies”)**)

and said generic definition (Fig 13: finding (selecting movie channel/module) the movies service/channel according to the available of movie channels in the collection of channels. See P [101] where collection of channels have movies channels, otherwise, said “finding movies” channel/service/module won’t be available);

Kloba discloses: wherein said generic definition (services are provided from the channel, and the channel is one of the “collection of channels”, see P [101]; thus teaches service/channel/”collection of channels” includes consideration of...) includes consideration of resource constraints of the different devices (fig, 4A: device type support of 1-10, device type support of 1, 4 and 7, device support detect; P [284]: the process includes only kinds of content supported by various devices/clients); and

Kloba discloses: adding said appropriate module to the content delivery interface (Fig 13: Movies channel/module is added to the interface to be delivered to users for viewing (as a function of “finding movies”)), thereby to provide said currently desired service from a platform that supports a plurality of services (Fig. 13: To provide finding movies channel).

Re claim 62, Kloba discloses: A service delivery platform (P [112]: offers channels to clients) for an interface (fig 1A: server communication module and client communications module; fig 1c: ref 160B) between a content provider (fig 1A: content provider) and a wireless communication device (fig 1A: client device), comprising:

Kloba discloses: a plurality of services for being provided to the wireless communication device by the content provider (P [112]: offers a plurality of channels to clients, said channels are provided by content provider, see fig 1A: content provider);

Kloba discloses: an infrastructure for supporting a generic definition (P [101]: The server maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common/general/generic services/channels. Note: “Said collection of channels” is a collection of general/generic channels) of a cellular service (P [50], Table 2: cellular phones, thus the cellular services), said generic definition incorporating common features of different services (P [101]: Said “Collection of channels” incorporating many common channels. Channels can be common services such as application, services, images, movies, music);

Kloba discloses: a service controller for receiving a request for a service from the wireless communication device (Fig 5A ref 508: User wants (requests) to add channel(s), thus receives said user’s request) and for activating said service according to a service logic (Fig 5: allowing (activating) user to add channel according to a logic of “adding featured channels” or “explore and add channels”) and said generic definition (Fig 13: finding (will require selecting movie channel/module) the movies service/channel according to the available of channels in the collection of channels (see P [101]: collection of channels have movies channels, otherwise, said “finding movies” channel won’t be available. Therefore,

teaches receives said “find movies” request according to the (available of movies channel in the collection) collection of channels);

Kloba discloses: wherein said service logic comprises at least one rule for determining at least one of whether and how said service is to be provided (**Fig 5A: determining (how user wants to add channel) that user wants to add featured channel or determining that user wants to explore and add channel**); and

Kloba discloses: a service framework, configured to enable ones of said services to be added, removed or changed (**Fig. 5K: user may create, modify or remove channels; fig 1AB, bottom left: add channel, remove channel**).

Re claim 37 and 46, Kloba discloses: The apparatus of claim 36, wherein said generic definition comprises an ability to select between one of a plurality of levels of complexity of content presentation according to a determined capability level of a receiving telephone.
(claim interpretation only: There are a plurality levels of content presentations, for example, image content can be presented as an image in JPEG format, movie content can be presented as “movie” in MPEG format, and JPEG and MPEG are different format/“level of presentation”)
(P [284], Fig 4A: When one device can only support (1) PDF reader and (8) Font files, then said device receives only PDF file and Font files from the server. Therefore, the “collection of channels” from the server can select the “PDF” format of a plurality of other

formats/”levels of presentation” to the receiving phone that can receive PDF format. Note: Said “collection of channels” includes many other formats such as AVI, MP3, etc.)

Re claim 38 and 47, Kloba discloses: The apparatus of claim 36, carrying a plurality of services each defined using (P [101]: “collection of channels” has a plurality of channels/services, see P [103]-[104] where channel can be defined with a name)

said generic service (Fig. 5k, 45, P [442]: By using the “collection of channels” the user can create a channel, to name/define said channel and then to add said channel into said “collection of channels”. Note that said “collection of channels” are needed in order to go through this process of creating a channel into said “collection of channels”)

and different service defining parameters (P [440], fig. 45: “title” of the channel is defining said channel/service)(Thus, discloses there is a plurality of services in the “collection of channels”, wherein each of the channels has been named/defined before being added into said “collection of channels”)

and providing each service as a separate module (P [101]: movie channel/service belong one module and music channel belongs to a separate module) sharing a common interface (fig 1A: server communication module and client communication module);

Re claim 39, Kloba discloses: The apparatus of claim 36, configured to allow a plurality of services to be defined using different service-defining parameters applied to said generic service (Fig 5K, 45, P [440]: Channels/services can be defined using different texts/parameters, wherein said defined channels can be added (applied) into the collection of channels).

Re claim 40 and 48, Kloba discloses: The apparatus of claim 36, further comprising

a rule engine (Fig 45: has rule to define channel size and channel refresh rate, thus teaches rule engine; Note: figure 45 is related to channel and it has rule engine; P [141]: scripting/rule engine) together with said generic definition (P [111]-[112]: the channel of the user is in the “collection of channels” in the server, thus user’s channel is together with “collection of channels”), for operating logic required for said desired service (Fig. 45: logic to define/customize how a channel is displayed) by implementing ones of said service defining parameters that are logical rules (Fig. 45: 100, location/URL are parameters that define/customize channel/service, and said parameters are logical rules for the channel).

Re claim 41 and 49, Kloba discloses: The apparatus of claim 36, further comprising an external parameter obtaining mechanism to obtain external parameters for modifying application of a respective desired service to a user (P [313], [317]: user/administrator can input parameter for the channel setting and save/modify the channel/application (see P [101]: application), said channel is a respective desired service to said user).

Re claim 42 and 50, Kloba discloses: The apparatus of claim 41, wherein said external parameter is location of a respective mobile telephone, and wherein said modifying comprises modifying said application in accordance with a respective location (P [142]: the external parameter can be an input of the address into the address book of the application. Therefore, adding/modifying the application in accordance with said respective address; P [378]: user’s address/location).

Re claim 43, Kloba discloses: The apparatus of claim 36, comprising a plurality of modules, each module carrying said generic definition (P [101]: “collection of channels” has a plurality of channels/modules. Images, music and movies have different arrangement of parameters)

together with a different arrangement of parameters, thereby to combine different services within said platform (**P [101]: “collection of channels” combine many channels/services such as images/movies).**

Re claim 44, Kloba discloses: The apparatus of claim 43, being able to support additional services by the incorporation of additional modules (**P [31]: adding channel/service/module into the “collection of channels”, wherein said added channel/module provide new service; P [118]: The server may include additional modules).**

Re claim 52, Kloba discloses: The method of claim 51, wherein said adding said appropriate one of said modules (**Fig. 46, ref 4602, left side: create/add channel/module**) comprises providing a functional alteration for the content delivery interface (**Fig. 46 ref 4602: By adding Google channel, ref 4602 becomes different/alterd when viewed by the user. Note: the entire fig. 46 is the content (delivery) interface**) for interacting with the wireless communication device (**(Note: when server’s interface is interacting with the device’s interface, fig 46 becomes the content/server interface being viewed by the user)**), according to said currently desired service (**(Fig 46, ref 4602: creating channel is a current desired service).**

Re claim 53, Kloba discloses: The method of claim 52, wherein said functional alteration comprises a change to a flow of interaction between the content delivery interface and the wireless communication device (**Fig 46: the entire figure is an interface that provide a flow of interaction between the content delivery interface and the user device. After adding Google channel to ref 4602, then the flow of interaction has been changed, it is because now the user can view/click on said Google channel, or to delete said Google channel).**

Re claim 54, Kloba discloses: The method of claim 52, wherein said functional alteration comprises a change to the look and feel of the content delivery interface at the wireless communication device **(Fig. 46: After adding Google channel to ref 4602, then the user can see a new added Google channel, and it will change the look and feel of the figure 46. Said figure 46 is the content delivery interface being viewed by user at the user device).**

Re claim 56, Kloba discloses: The method of claim 52, wherein said functional alteration comprises a change in a respective service **(fig. 46 ref 4602: creating a new channel causes a change in the list of channels)** according to an identity of a subscriber **(Fig. 1M: user (has identity) of client selects channel, and said channel is now provided to said user, but not others),** a service package of said subscriber **(Fig. 46 ref 4602, fig. 1M: a new channel is added to a list of channels, wherein said list of channels is a package of service/channel, thus teaches service package),** a preference of said subscriber **(Fig. 46-47: user preference of the channel can be Yahoo! Or Google)** and a type of wireless communication device **(P [284]: only kinds of content supported by various devices).**

Re claim 57, Kloba discloses: The method of claim 56, wherein said change comprises dynamic adaptation of the service **(Fig. 46-47: After a channel is created, it is added/adapted to the list of channel automatically/dynamically),**

optionally including at least one of:

matching the output format and presentation to the device type **(P [284]: only kinds of content supported by various devices);**

filtering of content, based on at least one of permissions, compatibility to the

device, subscriber preferences, and content classification; selection of a language; dynamic flow; and adjustment of delivery protocol based on the content type and the device.

Re claim 58, Kloba discloses: The method of claim 52, comprising providing each module with a generic service definition (**Fig. 45: Channel is provided with a general (service) definition, wherein said channel can be defined as “Yahoo !”**) and customizing ones of said modules (**Fig. 45-47: During the process of creating a channel, said channel can be customized with “channel size”, Channel being created can be Yahoo! Or Google**) for services it is desired to provide (**Fig. 45-47: When Yahoo! is the desired service**).

Re claim 59, Kloba discloses: The method of claim 58, wherein the content delivery interface further comprises a service directory (**P [101]: collection of channels/services**) for locating a service (**Fig. 5A: To locate a channel via “add featured channels” or “explore and add new channel”**), such that said adding said appropriate module (**Fig. 5A: add new channel**) further comprises altering a listing in said service directory (**P [111]: adding/altering channels to the “collection of channels”/“service directory”; P [112]: any combination/listings of the channels in the collection, the server maintains a list/listing of the channels associated with each clients, and said list of channels is stored in the “collection of channels”**) as necessary when a service is added, removed or altered (**Fig. 5A, P [111]**).

Re claim 60, Kloba discloses: The method of claim 58, wherein the content delivery interface further defines a presentation for providing an output of said service to the wireless communication device (**Fig 45-46: After the Yahoo! channel is added, then said Yahoo!**

channel is viewed/outputted to the user device. The Yahoo! channel presentation can be defined with channel size or channel refresh or location URL).

such that said functional alteration comprises altering said presentation as necessary when a service is added, removed or altered (**Fig. 45: When creating a channel, customizing/altering the presentation is necessary, then said channel is created/added).**

Re claim 61 (Previously Presented) The method of claim 58, wherein said functional alteration comprises altering a logic of said service (**Fig. 45: it has a logic of how a new channel should be displayed. For e.g. channel size of 100k and “No Include Images” is logic, and it influences how a channel is displayed).**

Re claim 63, Kloba discloses: The delivery platform of claim 62, further comprising a service directory (**P [101]: “collection of channels”, see movies or music)** for listing ones of said services (**P [111]-[112]: client can view any combination/list of the channels in the collection)**, and wherein said service controller is configured to search said service directory for said service upon receiving said request (**Fig. 13: user finds movies from the “collection of channels”, thus teaches the server receives said user search/service request, and will search in the “collection of channels (see P [101] for movies)” for movies).**

Re claim 64, Kloba discloses: The delivery platform of claim 62, wherein said service comprises a plurality of operations to be performed (**Fig. 3A: has a plurality of operations to be performed until server sends updated content to client)**, and a response to be returned to the wireless communication device (**Fig. 3A: server presents response to client).**

Re claim 65, Kloba discloses: The delivery platform of claim 64, further comprising a presentation for presenting said response of said service **(Fig. 3A, ref 334-336: server presents response to the client, wherein said response is related to the service of interactive content).**

Re claim 66, Kloba discloses: The delivery platform of claim 65, wherein said presentation comprises a presentation assembler for collecting data **(Fig. 3A: server collects data from both the client and the provider before sending/presenting the response to the client, thus teaches presentation assembler to assemble data for presenting the response to the client)** and preparing said data for said response to the wireless communication device **(Fig. 3A: server presents response to the client, wherein said response has data related to the interactive content, and said response has data/response from the provider).**

Re claim 67, Kloba discloses: The delivery platform of claim 62, wherein an operation of said service is performed **(Fig. 45-46: an operation of creating a channel is performed)** according to at least one rule **(Fig. 45-46: said creating a channel has rules to define the channel size or channel refresh rate).**

Re claim 68, Kloba discloses: The delivery platform of claim 67, further comprising a rule operation **(Fig. 45: has an operation or rule operation to create channel, and said channel will be displayed base on the defined rule, for e.g. channel size or channel refresh rate)** for constructing the condition for said rule **(Fig. 45: The channel has a condition of 100k channel size and refreshes on every sync. Said channel size and channel refresh parameters are the rules that define the condition of the channel. Thus teaches the condition of the channel for the channel's rule).**

Background (and/or Examiner's note):

Kloba teaches a server/apparatus that provides different services/channels over the network or cellular network. The server has a framework that manages the collection of channels. Said "collection of channels" has many channels and each channel provide a (cellular) service, e.g. movie channel provides movie services and music channel provides music service to the mobile phone user. The server allows mobile user can search for a movie or music in the collection of channels, and said searching for movie/music is a common feature of movie/music service. When user inputs "movie" text from the mobile device to find movie, the device sends a parameter to the server and asks the server to search for movie. The server will read over the channels of the "collection of channels" to find movie channel(s) and to provide the retrieved movie channels to the mobile user. Therefore, teaches "collection of channels" can take parameter that defines movie service. The server can deliver the movie/music (types) contents to the mobile users using HTTP protocol, pager protocol, TCP/IP protocol or any communication protocol.

The server allows mobile user to use his/her mobile's keyboard to externally input parameter to search for a particular service, and/or to use mobile's keyboard to edit a channel, thereby will implement/edit a service. Said channel will be added/edited into the "collection of channel". The server considers the contents that is supportable by the device, and will deliver the supportable contents to the device. The contents are AVI, MP3 PDF, animation, etc. Note that server is directly related with "collection of channels", to provide service to the mobile users.

Examiner note (below):

“Generic Definition” is a lexicographic word. In this current case, “Generic Definition” has been given many interpretations by specifications/claims such as:

(a) In claim 36, the “generic definition” is implicitly defined as: (1) a generic/general definition of a cellular service (2) an object that incorporate common features of different services and/or (3) an object that is able to take specific service-defining parameters.

(b) In claim 37, “generic definition” is defined as: an object that comprises an ability to select between one of a plurality of levels of complexity of content presentation according to a determined capability level of a receiving telephone.

(c) On page 4, beginning at line 7 of the specification, see “said generic definition comprises at least some of the following features of a service: availability, discoverability, find-ability, buy-ability, and obtain-ability”

Examiner’s interpretation of “Generic Definition”: “Generic definition” is a unit/component/module/sub-device inside a device/apparatus. The basic definition of said “generic definition” is a general/common/standard definition (or naming) of the cellular services. See claim 36 for “generic/general definition of a cellular service”.

Kloba teaches “Collection of channel” is a unit inside a device (P [101], [111]; see “the server maintains a collection of channels” and “processes for managing channels, adding channels to the collection of channels maintained by the server”, thus said “collection of channel” is stored/inside in memory/device).

Kloba teaches “Collection of channels” provides common definition of the cellular services (P [101]; the channel comprises objects, and object is service, thus channel is cellular service; P

[349]-[355]: see “user clicks on channels to edit”, “channel parameter such as channel name, root URL, images option”; consider an image channel, said image channel is defined as image channel, and provides images services over the cellular (service) network; therefore, channel provides common definition of the cellular services; P [111]: see “adding channels to the collection of channels”, thus “collection of channels” has many (definitions of) channels such as movie channel and/or images channel).

Examiner’s interpretation of “infrastructure”: According to the attached NPL reference “dictionary.pdf”, infrastructure means a structure/framework of a system.

Kloba teaches a structure/framework of a server system (Kloba, fig. 1A: see “server”; the structure/framework of the server comprises administration module, database module, and so on).

Examiner’s interpretation of “external parameter setting mechanism”: After reading claim 36, Examiner interprets this term as a keyboard used for externally inputting parameter into a device. Note: “external parameter setting mechanism” is a lexicographic term created by Appellant. Examiner will use the term of “keyboard that externally input text into a device” to teach “external parameter setting mechanism”.

Kloba teaches “a keyboard used to externally input parameter into a device”; see, Kloba, figure 13: for “(has keyboard to) enter text to search for here”.

(10) Response to Argument

SUMMARY OF ARGUMENT AND EXAMINER ANSWER

Through out the brief the appellant mainly argues that Kloba does not disclose: “an infrastructure for supporting a generic definition of a cellular service, said generic definition incorporating common features of different services, said generic definition being able to take specific service-defining parameters” and “an external parameter setting mechanism for inputting respective service defining parameters to said generic definition, thereby to implement a desired service through said generic definition” (page 8 of 23 of brief).

Examiner’s Answer:

Kloba teaches the **server is an infrastructure**/structure/framework to manage (support) the “collection of channels”. In current case, figure 1 teaches that “generic definition” has **provisioning** sub-module/function. Kloba’s “collection of channels” is generic definition because it has **provisioning** function and it provides services to the mobile users. In claim 36, generic definition is defined as a **standard definition of the (cellular) service. Therefore, Kloba’s server is an infrastructure supporting a generic definition of cellular service.** Kloba teaches the user can modify/edit the (service) channel’s name and properties. Each channel has different **names** or properties to **define** itself; therefore, “collection of channels” has standard definitions, such as channel’s name, to define the channel, thus is a generic definition. The collection of channels has many different channels, such as movie, music and image channels, and each of said channels has common feature, such as “finding” movie, music and/or image. The user can input “movie” text into the device, which sends the “movie” parameter to the

“collection of channels”, thus teaches “collection of channels” can take the movie parameter that defines movie service.

Kloba teaches the mobile device allows user to use a keyboard to externally edit/add a channel by inputting channel’s name and/or properties for said channel, and said changes will be made to the channel/“collection of channel”; Thereby will implement/create a user-desired channel over/through the “collection of channels”. Note that the channel’s name is parameter that defines channel, thus an **external parameter setting mechanism**.

Therefore the examiner contends that Kloba does show the argued limitation, and thus the rejection should stand. For further explanation and citation from the reference, please read the detailed response to arguments below.

DETAILED RESPONSE TO ARGUMENTS

Regarding Appellant’s Arguments on independent claim 36:

Appellant argues that:

(i) Kloba does not appear to teach:

an infrastructure for supporting a generic definition of a cellular service, said generic definition incorporating common features of different services, said generic definition being able to take specific service-defining parameters (page 8 of 23 of brief; and page 13 of brief);

an external parameter setting mechanism for inputting respective service defining parameters to said generic definition, thereby to implement a desired service through said generic definition (page 8 of 23 of brief);

Examiner Answers:

Kloba discloses: **an infrastructure for supporting a generic definition of a cellular service** (P [101]; The server is an infrastructure that maintains/supports a collection of channels generally, said “collection of channels” can be defined as “generic definition” incorporating many common/general/generic services/channels. Note: “Said collection of channels” is a collection of general/generic channels; see P [50] for “cellular service”, thus providing cellular services/channels to cellular subscribers; the summary of argument and Examiner’s answer also explains why “collection of channels” is generic definition, **said generic definition incorporating common features of different services** (P [101]; Said “Collection of channels”/“generic definition” incorporating many common channels/services. Channels can be common services such as application, services, images, movies, music); note, Kloba teaches that the channels are services in P [101]; and teaches **“collection of channels” gives/has general (generic) definition to the services** in P [349]-[355], see **“channel name”, thus a service/channel name (definition or defining/naming the channel)** in the “collection of channels”, note that channel(s) is in the “collection of channels”; and “collection of channels” has the general definitions/names of its channels/services. See P [101] for services, movies services, music services; wherein said (different) services are going to have common/general/well-know/obvious features/functions such as displaying business (or movie or music) information, news and weather in fig. 1AB, and finding movies in fig. 13. Therefore, teaches the “collection of channels” incorporates/integrates/contains said features/functions of fig. 1AB and fig. 13.

Kloba discloses: **said generic definition being able to take specific service-defining parameters** (Fig 13: When user enters text to search for movies, said server can receive said text and using the movie channel from the collection of channels to provide “find movie service”; note: “Collection of channels” can take the “user text in find movie” (define movie channel) so that it can provide movies to the user instead of providing images; Note: Server has a “collection of channels”, see P [101], the server (and/or collection of channels) is able to take specific parameters such as images, services, movies) note, see P [349]-[355], “user clicks on a channel to edit”, “channels parameter settings are displayed”, “channel parameter settings may include, the channel name”, thus the “**collection of channels**”/“general definition” is able to **take** specific service-defining parameters (**channel names**) that **defines/names** the channel/service;

Kloba discloses: **an external parameter setting mechanism for inputting** (Fig 13: (using keyboard, and externally) enter text to search. The text is parameter, and it defines the service as find movies) **respective service defining parameters to said generic definition** (Fig 13, P [101]: Base on the user text inputted into the “collection of channels” (in server), it can determine that it will provide movies to the user instead of providing images, thus movie channels are selected from the “collection of channels”); note, see P [349]-[355], where the user can edit/input the channel parameter setting, such as channel name. Channel name is a channel/service defining/naming parameter, and said channel (and its name) is collected into the “collection of channels”;

thereby to implement a desired service through said generic definition (Fig 13, P [101]; the desired service of providing movies (channel/service) to the user is implemented, and the movie channel is pulled from (through) the “collection of channels”); note, see P [349]-[355]; the user can create/edit/modify/implement a user-desired service/channel through the “collection of channels”, wherein the user-created channel is **collected** into the “**collection of channels**”, see P [111] for “adding channels to the collection of channels maintained by the server”;

Appellant argues that:

(ii) Examiner construes “collection of channels” as “generic definition” appears flawed (page 9 of 23 of brief).

Examiner Answers:

Examiner basically interprets “generic definition” according to claim 36. In this situation, Examiner will have to define “generic definition” through the word definition of (1) “generic” and “definition” or (2) through what “generic definition” does in independent claim 36. First (1), collection of channel has a general/generic defining/definition/naming of the channels/services, thus is a generic definition, see P [349]-[355], “where the user can edit the channel parameters settings such as channel name” and P [111] for “adding channels to the collection of channels maintained by the server”; second (2), in independent claim 36, “generic definition” is implicitly defined as an object that incorporates common features of different services. Kloba teaches that “collection of channel” is an object just like “generic definition” that incorporates different services, see P [101] for services, movies services, music services; wherein said services are

going to have common/general/well-know/obvious features/functions such as displaying business information, news and weather in fig. 1AB, and finding movies in fig. 13.

Appellant argues that:

(iii) “Generic definition” is defined in the specification as: “Preferably, said generic definition comprises at least some of the following features of a service: availability, discoverability, find-ability, buy-ability, and obtain-ability” (page 10 of 23 of brief); and MPEP 2111.01(IV): where an explicit definition is provided by the Applicant for a term, that definition will control interpretation of the term as it is used in the claim (page 10 of 23 of brief);

Examiner Answers:

This definition of “generic definition” isn’t found in independent claim 36. Appellant needs to put this definition into claim 36 in order to argue this limitation for said claim 36. In claim 36, Examiner finds out that “generic definition” is implicitly defined as (1) “an object that incorporates common features of different services”, (2) “an object that can take specific service-defining parameters”; and in dependent claim 37, “generic definition” is implicitly defined as (3) “an object that comprises an ability to select between one of a plurality of levels of complexity of content presentation according to a determined capability level of a receiving telephone”. With so many different definitions/interpretations of the term “generic definition” all over the different claims and different parts of the specification, Examiner kindly requests Appellant to really put what he wants to argue into the independent claim 36 that is being argued, and not from somewhere else.

In MPEP 2111.01(IV), please see “by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s)”, “Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim”. Appellant has **failed to explicitly** provide a definition for “generic definition” because Appellant provides so many different definitions/interpretations of “generic definition” over the different claims and different parts of the specification, and that actually confuses the Examiner. Again, Examiner kindly request Appellant to put the definition of “generic definition” into the claim 36 that is being argued. Examiner interprets “generic definition” base on the implicit definition of said “generic definition” found in claim 36, which is the most direct interpretation of said “generic definition” as (only) for claim 36.

Appellant argues that:

(iv) “Common features” and “specific service defining parameters” are not taught (page 12 of 23 of brief); common features of different services (page 13 of brief); integrated features (page 13 of brief)

Examiner Answers:

See Kloba, P [101] for services, and movies services, music services, wherein said (different) services are going to have common/general/well-know features/functions such as displaying business (movie, music) information, news and weather in fig. 1AB, and finding movies (or music) in fig. 13. Therefore, teaches the “collection of channels” incorporates/integrates/contains said features/functions of fig. 1AB and fig. 13.

See P [349]-[355], “user clicks on a channel to edit”, “channels parameter settings are displayed”, “channel parameter settings may include, the channel name”, thus the “collection of channels”/“general definition” is able to take specific service-defining parameters (channel names) that defines/names the channel/service;

Regarding Appellant’s Arguments on independent claim 45, 51 and 62 (page 14 of brief):

Examiner Answers:

Applicant didn’t argue any specific claim elements for these independent claims, therefore, Examiner directs Applicant to refer to the explanations for these claims in the office action. Where the claim elements are shown by the primary or primary in view of secondary’s.

Regarding Appellant’s Arguments on claims 37-44, 46-50, 52-54, 56-61 and 63-68 (page 14 of brief):

Appellant argues that:

(v) The following are erroneously rejected:

Providing a generic definition of said service, said generic definition incorporating common features of different services; selecting an appropriate one of said modules for the content delivery interface according to a currently desired service and said generic definition; wherein said generic definition includes consideration of resource constraints of the different devices;

Examiner Answers:

Providing a generic definition of said service (P [349]-[355]: see “user may edit the channel parameter settings”, “channel parameter settings may include the channel name”; thus teaches

providing a general definition/naming of the service/channel, see P [101] where channel is taught as service), **said generic definition incorporating common features of different services** (P [101]: Said “Collection of channels”/“generic definition” incorporating many common channels/services. Channels can be common services such as application, services, images, movies, music); note, Kloba teaches that the channels are services in P [101]; and teaches “collection of channels” gives/has general (generic) definition to the services in P [349]-[355], see “channel name”, thus a service/channel name (definition or defining/naming the channel) in the “collection of channels”, note that channel(s) is in the “collection of channels”; and “collection of channels” has the general definitions/names of its channels/services.

See P [101] for services, movies services, music services; wherein said (different) services are going to have common/general/well-know features/functions such as displaying business (movie or music) information, news and weather in fig. 1AB, and finding movies (or music) in fig. 13. Therefore, teaches the “collection of channels” incorporates/integrates/contains said features/functions of fig. 1AB and fig. 13.

selecting an appropriate one of said modules for the content delivery interface according to a currently desired service (Fig 13: current desired service is movies, then the “movies” channel/module/component is selected accordingly for “movie content” delivery (content delivery interface)(see e.g. in the “find movies”) to the user) **and said generic definition** (Fig 13: finding (selecting movie channel/module) the movies service/channel according to the available of movie channels in the “collection of channels”/“generic definition”). See P [101]

where collection of channels have movies channels, otherwise, said “finding movies” channel/service/module won’t be available);

wherein said generic definition (services are provided from the channel, and the channel is one of the “collection of channels”, see P [101]; thus teaches service/channel/”collection of channels” includes consideration of “the way”/”how” the channels are provided to the users) **includes consideration of resource constraints of the different devices** (fig. 4A: device type support of 1-10, device type support of 1, 4 and 7, device support detect; P [284]; the process includes only kinds of content supported by various devices/clients; P [101]; see “the server maintains the “collection of channels””, therefore, the server/”collection of channels” includes consideration (take care of) the resource constraints of the devices. Note, if content (e.g. movie) is (or is not) supported by the device, the server will detect/”find out” about it, and will deliver content (via collection of channels) that is supported by the devices. The “collection of channels” will pull the channel/service/content (detected as supported, see fig. 4A) for the subscriber, thus (both the server and) the “collection of channels” take care of the resource constraints (detected as supported or not supported) of the different devices).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be maintained.

Respectfully submitted,

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Examiner, Art Unit 2617

Conferees:

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Examiner, Art Unit 2617

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